

REMARKS

I. Formal Matters

Claims 1-12 are currently pending in this application. Applicant thanks the Examiner for returning an initialed copy of Form PTO-1449 that was submitted on December 31, 2003, with an Information Disclosure Statement. Applicant also thanks the Examiner for acknowledging the claim for foreign priority under 35 U.S.C. §119 and for confirming receipt of certified copies of the priority documents.

II. Objections to the Specification

Pursuant to the Examiner's objection, paragraphs [0006], [0030], and [0035] of the specification have been amended.

III. Claims

Claims 4, 8, and 12. Independent claim 4 and its dependent claims 8 and 12 have been allowed.

Claim 1 is rejected as being allegedly anticipated by *Kamon* under 35 U.S.C. §102(b). *Kamon* discloses comparison of image data to EB [write] data (col. 2, lines 24-29). *Kamon's* image data is acquired by using an ordinary light source to image a mask **70**, said mask manufactured by part **84** using the EB [write] data (*Kamon*, col. 1, lines 64-67; col. 1, lines 52-53; Figs. 9 and 10). *Kamon* discloses verifying and comparing data collected from an already cut mask [reticle] to his EB [write] data (*Kamon*, Fig. 9; col. 1, lines 45-67). A mask that passes this comparison test is then used to make semiconductor devices (*Kamon*, col. 2, lines 46-48).

In contrast, Applicant's inspection data used for verifying the EB write data is not acquired using an already fabricated reticle. Applicant's inspection data is not image data; rather, it is converted from CAD data (Fig. 2; [0030]); and the inspection data is used to verify that EB write data has been correctly converted from CAD data ([0012]). Applicant's EB write data is verified with inspection data before EB write data is used to fabricate a reticle. A proper §102(b) rejection discloses each and every element of Applicant's claim. At least for failing to

disclose the element of EB write data verification with inspection data before fabricating a reticle, Applicant asserts that the §102(b) rejection by *Kamon* should be withdrawn.

Claim 2. Independent claim 2 is also rejected as being allegedly anticipated by *Kamon* under 35 U.S.C. §102(b). Claim 2 contains at least the same element presented in the traversal of the §102(b) rejection of claim 1. Accordingly, the arguments presented for the patentability of claim 1 are herewith asserted for claim 2. At least for failing to disclose the element of EB write data verification with inspection data before fabricating a reticle (claim 2), Applicant asserts that the §102(b) anticipation rejection of claim 2 by *Kamon* should be withdrawn.

Claim 3. Independent claim 3 is also rejected as being allegedly anticipated by *Kamon* under 35 U.S.C. §102(b). Claim 3 contains at least the same element presented in the traversal of the §102(b) rejection of claim 1. Accordingly, as discussed above in the §102(b) rejection of claim 1, *Kamon* fails to disclose the element of EB write data verification before fabricating a reticle. For failing to disclose each and every element of independent claim 3, Applicant asserts that the *Kamon* §102(b) rejection is improper, and respectfully requests that said rejection be withdrawn.

Dependent claims 5-7 and 9-12 are believed to be in condition for allowance as depending from an allowable independent claim.

In view of the preceding amendments and remarks, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby earnestly solicited. If any points remain in issue that the Examiner feels may be best resolved through a personal or telephonic interview, the Examiner is kindly requested to contact the undersigned attorney at the local telephone number listed below.

AMENDMENT UNDER 35 U.S.C. §1.111
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The USPTO is directed and authorized to charge all required fees (except the Issue/Publication Fees) to our Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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